

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

DONALD R ANDERSON,

Plaintiff,

v.

**COMMISSIONER, SOCIAL SECURITY
ADMINISTRATION,**

Defendant.

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**CIVIL ACTION NO. 6:16-CV-00323-RC-
JDL**

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

On April 12, 2016, Plaintiff initiated this civil action pursuant to the Social Security Act, Section 205(g) for judicial review of the Commissioner's denial of Plaintiff's application for Social Security benefits. The cause of action was referred to United States Magistrate Judge John D. Love who issued a Report and Recommendation, recommending that the Commissioner's Motion to Dismiss (Doc. No. 8) be granted and Plaintiff's complaint be dismissed pursuant to Fed.R.Civ.P. 12(b)(1) for lack of subject matter jurisdiction. (Doc. No. 9.) No objections to the Report and Recommendation were filed during the prescribed objection period.

The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. It is accordingly **ORDERED** that the Commissioner's Motion to Dismiss (Doc. No. 8) is **GRANTED** and Plaintiff's complaint be dismissed with prejudice pursuant to Fed.R.Civ.P. 12(b)(1) for lack of subject matter jurisdiction.

So Ordered and Signed

Nov 13, 2016



Ron Clark, United States District Judge